

1 **§ 30.16 MUNICIPAL SECRETARY.**

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3 (A) *Office of Municipal Secretary Created.* The Office of Municipal Secretary is created, and shall be referred to as
4 the City Secretary. The Municipal Secretary may also be referred to as the Municipal Clerk.

5 (1) The City Secretary shall be appointed by majority vote of the City Council for an indefinite term.

6 (2) The City Secretary shall serve at the will of the City Council. The City Secretary shall be chosen by the
7 City Council on the basis of executive and administrative qualifications in respect to the duties of the
8 office hereinafter set forth.

9 (3) The City Council may remove the City Secretary at any time by a majority vote of its members with or
10 without cause.

11 (4) The City Secretary shall receive compensation as the Council shall fix from time to time.

12 (5) The City Council hereby reserves unto the Mayor and Council all the authority and powers of the
13 city not clearly delegated to the City Secretary.

14 (6) Except to the extent specifically authorized by state law, the City Secretary shall not have any
15 authority to take any action whatsoever to overturn, offset, defeat, veto, or nullify any action by or vote
16 of the Mayor or Council.

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18 (B) *Powers and Duties of Municipal Secretary.*

19 (1) The Municipal Secretary shall:

20 (a) Attend each meeting of the governing body of the municipality and shall keep, in a record
21 provided for that purpose, accurate minutes of the governing body's proceedings.

22 (b) Engross and enroll all laws, resolutions, and ordinances of the governing body.

23 (c) Keep the corporate seal.

24 (d) Take charge of, arrange, and maintain the records of the governing body.

25 (e) Countersign all commissions issued to municipal officers and all licenses issued by the Mayor and
26 keep a record of those commissions and licenses.

27 (f) Prepare all notices required under any regulation or ordinance of the municipality.

28 (g) Draw all the warrants on the Treasurer, countersign the warrants, and keep, in a record provided
29 for that purpose, an accurate account of the warrants.

30 (h) Carefully keep all contracts made by the governing body.

31 (i) Perform all other duties required by law, ordinance, resolution, or order of the governing body.

32 (j) Working with the City Administrator, accept applications for a place on the ballot for city
33 elections. And fulfill the duties of the city election records custodian.

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35 (C) *Powers and Duties – Budget*

36 (1) The City Clerk shall:

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- 37 (a) Accept the proposed budget from the Budget Officer (Mayor) and file that proposed budget; The
38 proposed budget shall be available for inspection by any person; and the city clerk shall take
39 action to ensure that the proposed budget is posted on the city website.
- 40 (b) After council has set their public hearing, the clerk shall create the public notice of the date, time
41 and location of the hearing; notice must include, in type of a size at least equal to the type used
42 for other items in the notice, and include the statement required under Local Government Code
43 102.055(b); and this notice will be posted at least 10 days but not more than 30 days before the
44 public hearing, in the local paper.
- 45 (c) On final approval of the budget by council, the budget will be filed with the city clerk; and the
46 adopted budget will be posted on the city website, including the cover page outlined in Local
47 Government Code 102.007.
- 48 (d) If council makes a budget amendment of the adopted budget, the amendment shall be filed with
49 the city clerk and attached to the original budget.
- 50 (e) After the adoption of the budget or a budget amendment, upon direction by the mayor, the city
51 clerk shall file a true copy of the approved budget or amendment in the office of the county clerk
52 of the county in which the municipality is located.
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- 54 (D) *Designation as Officer for Public Information and Records Management Officer.* In addition to all other
55 powers and duties set forth herein, the Municipal Secretary is also designated as the Officer for Public
56 Information and Records Management Officer for the City of Woodcreek.
- 57 (E) *Powers and Duties of Municipal Secretary as Officer for Public Information and Records Management Officer.*
- 58 (1) The City Secretary shall file their name with the Director and Librarian of the Texas State Library within
59 30 days of the initial designation or assumption of the office, as applicable. In addition to other duties
60 assigned, the Records Management Officer shall:
- 61 (a) Assist in establishing and developing policies and procedures for a records management program
62 for the City of Woodcreek.
- 63 (b) Administer the records management program and provide assistance to custodians for the
64 purposes of reducing the costs and improving the efficiency of recordkeeping.
- 65 (c) In cooperation with the custodians of the records: (i) prepare and file with the director and
66 librarian the records control schedules and amended schedules required by Tex. Local Gov't.
67 Code § 203.161 and the list of obsolete records as provided by Tex. Local Gov't. Code § 203.164;
68 and (ii) prepare or direct the preparation of requests for authorization to destroy records not on
69 an approved control schedule as provided by Tex. Local Gov't. Code § 203.165, of requests to
70 destroy the originals of permanent records that have been microfilmed as provided by Tex. Local
71 Gov't. Code § 204.008, and of electronic storage authorization requests as provided by Tex. Local
72 Gov't. Code § 205.007.
- 73 (d) In cooperation with custodians, identify and take adequate steps to preserve local government
74 records that are of permanent value.
- 75 (e) In cooperation with custodians, identify and take adequate steps to protect essential local
76 government records.
- 77 (f) In cooperation with custodians, ensure that the maintenance, preservation, microfilming,
78 destruction, or other disposition of records is carried out in accordance with the policies and
79 procedures of the local government's records management program and the requirements of
80 this subtitle and rules adopted under it;
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- 81 (g) Disseminate to the governing body and custodians information concerning state laws,
82 administrative rules, and the policies of the government relating to local government records;
83 and
- 84 (h) In cooperation with custodians, establish procedures to ensure that the handling of records in
85 any context of the records management program by the records management officer or those
86 under the officer's authority is carried out with due regard for: (i) the duties and responsibilities
87 of custodians that may be imposed by law; and (ii) the confidentiality of information in records to
88 which access is restricted by law.
- 89 (i) They shall serve as designated officer for Public Information, and, as such, oversee the
90 management of municipal data, including coordinating compliance with State Law with the City
91 Attorney and administration of the city's Public Information policy.
- 92 (F) *Municipal Secretary to Serve as Municipal Assessor and Collector Created.* The Office of Municipal Assessor
93 and Collector is created and shall receive such compensation as may be fixed by the Council. The Municipal
94 Secretary will serve as the Municipal Assessor and Collector.
- 95 (G) *Powers and Duties of Municipal Assessor and Collector.* The Municipal Assessor and Collector will, in addition
96 to the duties of Municipal Secretary, perform all other duties required by law, ordinance, resolution, or order
97 of the governing body.